

03/26/01  
J1054 U.S. PTO

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **HOE96/F319CON**

First Inventor or Application Identifier **Schwertfeger et al**

Title **See 1 in Addendum**

Express Mail Label No. **EK897166855US**

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **67**]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
4. Oath or Declaration [Total Pages **18**]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ \* Small Entity Statement(s) ☐ Statement filed in prior application  
(PTO/SB/09-12) ☐ Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☒ Other: Copy of Petition for 3 Month Extension of Time filed in Parent Application referenced in 16 below

Continued on

**16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:**

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/308,888  
Prior application information: Examiner Lovering, R. Group / Art Unit: 1712

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	<b>Martha Ann Finnegan</b>		
	<b>Chief Intellectual Property Counsel, Cabot Corporation</b>		
Address	<b>Billerica Technology Center</b>		
	<b>157 Concord Avenue</b>		
City	<b>Billerica</b>	State	<b>MA</b>
		Zip Code	<b>01821-7001</b>
Country		Telephone	<b>978-670-6198</b>
		Fax	<b>978-670-8027</b>

Name (Print/Type)	<b>Peter D. McDermott</b>	Registration No. (Attorney/Agent)	<b>29,411</b>
Signature	<i>Peter D. McDermott</i>	Date	<b>3259-8/1/30 26 March 2001</b>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(03259.81130)

Applicants: Schwertfeger et al.  
U.S. Serial No.: Continuation of USSN 09/308,888 Group Art Unit: 1712  
Filed: On Even Date Herewith Examiner: Lovering, R.  
Title: Organically Modified Aerogels, Method for Their Production by Surface  
Modification of the Aqueous Gel Without Previous Solvent Exchange and  
Subsequent Drying and the Use Thereof

\*\*\*\*\*

**CERTIFICATE OF EXPRESS MAIL**

Assistant Commissioner for Patents, Box Patent Application  
Washington, D.C. 20231

Dear Sir:

"Express Mail" Label No. **EK897166855US**

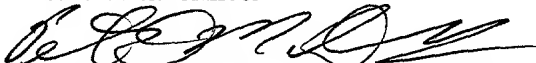
Date of Deposit: 26 March 2001

I hereby state that the following:

Utility Patent Application Transmittal  
Specification, claims, and Abstract (German language; 67 pgs.)  
Drawings (2 pgs. attached to German language application papers)  
Specification, claims, and Abstract (English language translation; 64 pgs.)  
Drawings (2 pgs. Attached to English language translation)  
Preliminary Amendment (15pgs.)  
Declaration/Oaths (18 sheets)  
Fee Transmittal  
Copy of Petition for Extension of Time Under 37 CFR § 1.136(a) filed in parent application  
USSN 09/308,888

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee"  
service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant  
Commissioner for Patents, Washington, D.C. 20231.

Peter D. McDermott



Signature of person mailing paper or fee

# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$2,748.00)

### Complete if Known

Application Number	Continuation of USSN 09/308,888
Filing Date	Filed Herewith
First Named Inventor	Schwertfeger et al
Examiner Name	Lovering, R.
Group / Art Unit	1712
Attorney Docket No.	HOE96/F319CON

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD

- ☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	710.00
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
66	-20** = 46	X 18 =	828
Independent Claims	7	- 3** = 4	X 80 = 320
Multiple Dependent			= 0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1,148.00)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	0.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	0.00
139 130	139 130	Non-English specification	0.00
147 2,520	147 2,520	For filing a request for reexamination	0.00
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	0.00
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	0.00
115 110	215 55	Extension for reply within first month	0.00
116 380	216 190	Extension for reply within second month	0.00
117 870	217 435	Extension for reply within third month	890.00
118 1,360	218 680	Extension for reply within fourth month	0.00
128 1,850	228 925	Extension for reply within fifth month	0.00
119 300	219 150	Notice of Appeal	0.00
120 300	220 150	Filing a brief in support of an appeal	0.00
121 260	221 130	Request for oral hearing	0.00
138 1,510	138 1,510	Petition to institute a public use proceeding	0.00
140 110	240 55	Petition to revive - unavoidable	0.00
141 1,210	241 605	Petition to revive - unintentional	0.00
142 1,210	242 605	Utility issue fee (or reissue)	0.00
143 430	243 215	Design issue fee	0.00
144 580	244 290	Plant issue fee	0.00
122 130	122 130	Petitions to the Commissioner	0.00
123 50	123 50	Petitions related to provisional applications	0.00
126 240	126 240	Submission of Information Disclosure Stmt	0.00
581 40	581 40	Recording each patent assignment per property (times number of properties)	0.00
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify)			0.00
Other fee (specify)			0.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 890.00)

### SUBMITTED BY

Name (Print/Type) Peter D. McDermott

Signature

*Peter D. McDermott*

Registration No. (Attorney/Agent) 29,411

B&W 3259.81130

### Complete (if applicable)

Telephone 1-617-227-7111

Date 26 March 2001

### WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Attorney Docket Number: HOE96/F319CON

First Named Inventor or Application Identifier: Schwertfeger et al

**Utility Patent Application Transmittal (PTO/SB/05):**

**15. Other Accompanying Application Parts (continued)**

Certificate of Express Mailing

English language translation of specification,

claims, and Abstract (64pgs.)

Addendum to Utility Patent Appln. Transmittal

for Continuation of USSN 09/308,888

Attachment to PTO/SB/05 (4/98) Utility Patent Application  
Transmittal

1. Title: Organically Modified Aerogels, Method for Their Production by Surface Modification of the Aqueous Gel Without Previous Solvent Exchange and Subsequent Drying and the Use Thereof